REMARKS

STATUS OF APPLICATION

Claims 1-55 are pending in the application. By this Amendment, claims 1-6, 8, 23, 24, 28, 29, 32, 36, and 42-55 have been cancelled and new claims 56-59 have been added. The status of the claims remaining is as follows:

Claim 7 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,991,846 to Ooki (hereinafter "the Ooki Patent");

Claims 9, 10, 14, 15, 25, 26, 33, and 37 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,996,029 to Sugiyama et al. (hereinafter "the Sugiyama Patent");

Claims 30, 31, and 38-41 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,812,750 to Dev et al. (hereinafter "the Dev Patent");

Claims 11-13, 16-22, 27, 34, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sugiyama Patent in view of the Dev Patent.

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d), and that the certified copies of the priority documents have been received, is noted with appreciation.

The acknowledgment, in the Notice of Draftsperson's Drawing Review, that the drawings are not objected to by the Draftsperson, is noted with appreciation.

35 U.S.C. § 102(e) REJECTIONS

1.   Claim 7

The rejection of claim 7 under 35 U.S.C. § 102(e), as being anticipated by the Ooki Patent, is respectfully traversed based on the following.

The utility program of claim 7 contains a display step for displaying on a display means locations of image forming apparatuses connected to a network on a display means, and a select step for selecting as an output destination of an image an image forming apparatus corresponding to a thus displayed location which is designated by a user, wherein the display step has a sub-step for displaying characters describing the names and the locations corresponding to the image forming apparatuses. This allows the user the freedom to select the image forming apparatus of their choice. By displaying the locations of the image forming apparatuses in a network, then allowing the user to make a selection, the user can accurately designate a desired output destination. For instance, a printer within close proximity can be chosen rather than a printer inconveniently located in another area; secret information can be better directed to secured equipment; and, in general, mistakes made by novices and other unfamiliar users are less likely to occur. Without any awareness of the location of these image forming apparatuses, however, it is obvious how simple tasks like designating a device as an output recipient can become very cumbersome and inefficient, in the case of a very large network connected to many devices. This is set

forth in the present specification on page 11, lines 15-20.

In contrast, a user of the Ooki device is unable to select the image forming apparatus in accordance with the requirements of claim 7. Instead, in the Ooki device, the user sets certain printing parameters and priorities, and then the printer selection unit 106 designates the printer. The Ooki Patent only discloses notifying the user of the printer location, or displaying the printer location, after the printer has already been selected by the printer selection unit 106. Specifically, the user is unable to directly select a printer of their choice. This is disclosed in column 3, lines 2-3, of the Ooki Patent.

With the design choice described in the Ooki Patent, the printer selected by the printer selection unit 106 can be in an inconvenient location, or in the case of a sensitive document, the designated printer can be an unsecured device. The Ooki device does not display the locations of the image forming apparatuses connected to the network, and then allow the user to select an output destination of an image from the displayed image forming apparatuses. Thus, the user is not allowed to make a choice based on, at least, the location of an image forming apparatus. The Ooki printer selection unit 106 makes the determination of which printer will be used as the output destination. This fundamental difference distinguishes claim 7 of the present invention from the Ooki Patent. Thus, because the Ooki Patent does not disclose, teach, or suggest the feature of selecting an image forming apparatus designated by the user as an

output destination, the Ooki Patent cannot anticipate claim 7.

Accordingly, it is respectfully requested that the rejection of claim 7 under 35 U.S.C. § 102(e), as being anticipated by the Ooki Patent, be reconsidered and withdrawn.

2.   **Claims 9, 10, 14, 15, 25, 26, 33, and 37**

The rejection of claims 9, 10, 14, 15, 25, 26, 33, and 37 under 35 U.S.C. § 102(e), as being anticipated by the Sugiyama Patent, is respectfully traversed based on the following.

Claim 9 requires a first display for classifying the input-output apparatuses into a plurality of categories with different functions and displaying said functions on the display means as items of selection, and a second display step for displaying on the display means as items of selection only the input-output apparatuses having one of the functions selected by the user. The second of these two steps of claim 9 is not disclosed or taught in the Sugiyama Patent.

In the Sugiyama device, the button BT3 of Fig. 91 serves as the SP (scanner/printer) server designation button. Button BT4 serves as the scanner/printer selection button. When button BT4 is selected, a scanner/printer table is displayed listing all scanners and printers usable with the SP server designated with button BT3. From this scanner/printer table, a scanner or printer is specified, and properties of the specified device can then be entered or changed as necessary. This

19

is not as required by claim 9, where the second display step specifically requires that only input-output apparatuses having the selected function specified from the first display step be displayed. For example, only devices with a printing function are displayed, or only devices with a scanning function are displayed. According to the Sugiyama Patent, all printers and scanners are displayed in the same scanner/printer table. There is only one selection button BT4 for the scanner/printer table, so obviously the Sugiyama device could not display scanners separately, then printers separately, if it were required. The Sugiyama device can only display a list of printers and scanners, together. Users of the Sugiyama device only make a device function distinction when the actual device is selected. That is, the user makes a choice of which input-output apparatus will be used from a list of both printers and scanners. There is no disclosure of a separation of devices depending on their function as required in claim 9.

By first classifying the input-output apparatuses into categories with different functions and displaying the functions on a display means as items of selection, then displaying only input-output apparatuses having one of the functions selected the user as an item of selection, the present invention allows the user to view only the input-output apparatuses that can perform a particular function. Such input-output apparatuses include, for example, fax machines that have scanning capabilities, and PCs that have faxing capabilities. The user is then able to make a choice of what input-output apparatus to use without mistakenly selecting an incorrect device that does not perform the desired

function. The Sugiyama Patent does not disclose this
feature. Therefore, it is certainly possible that an
incorrect device can be chosen to perform a required
task, or that a device that cannot perform a required
task can be mistakenly designated. Thus, because the
Sugiyama Patent does not disclose a display step for
displaying only input-output apparatuses having a user
selected function, the Sugiyama Patent cannot anticipate
claim 9.

Claim 10 depends from claim 9, and as shown above,
the Sugiyama Patent does not disclose, teach, or suggests
all limitations of claim 9. Therefore, the Sugiyama
Patent cannot disclose, suggest, or teach claim 10, which
depends from claim 9.

Regarding claim 14, the Sugiyama Patent does not
disclose a first display step for classifying the input-
output apparatuses into a plurality of categories with
different pieces of document identification information
and displaying the pieces of document identification
information on a display means as items of selection.
Furthermore, the Sugiyama Patent does not disclose a
second display step for displaying only the input-output
apparatuses capable of receiving a document type
specified by the document identification information
selected by the user.

As detailed in the sixth embodiment of the present
specification, the document identification information
can be a field for specifying a type of transmitted
document. By first categorizing the input-output
apparatuses based on the document identification

information, then displaying only input-output
apparatuses capable of transmitting the document type
selected by the user, major advantages are gained.
Namely, the user is made aware of a document type
beforehand by viewing the identification information, and
more importantly, the user can select an appropriate
output apparatus as the destination from an otherwise
large number of input-output apparatus choices. Further,
mistakes in designating input-output apparatuses
incapable of transmitting the selected document types are
eliminated because all apparatuses displayed are capable
of receiving the transmitted data in the format
specified.

First, the Sugiyama Patent does not disclose,
suggest, or teach the use of document identification
information in the selection of an output apparatus.
Second, the Sugiyama Patent could not then disclose the
first display step of claim 14 of classifying the input-
output apparatuses into a plurality of categories with
different pieces of document identification information
and displaying the pieces of document identification
information as items of selection. Nor could the
Sugiyama Patent disclose the second display step of claim
14 for displaying only input-output apparatuses able to
transmit the type of document specified by the document
identification information. Fig. 91 of the Sugiyama
Patent only illustrates the scanner/printer table listing
printers and scanners, and the scanner parameter setting
window for specifying the parameters of the selected
scanner, not the use of document identification
information as required by claim 14. Therefore, because
the Sugiyama Patent fails to disclose, teach, or suggest

22

the use of document identification information in input-output apparatus selection, claim 14 is distinguished from the Sugiyama Patent.

Claim 15 depends from claim 14, and as shown above, the Sugiyama Patent does not disclose, teach, or suggests all limitations of claim 14. Therefore, the Sugiyama Patent cannot disclose, suggest, or teach the requirements of dependent claim 15.

Claim 25 claims an input-output apparatus selecting method requiring a step for classifying input-output apparatuses connected to a network system into categories with different functions and displaying said functions on a display means as items of selection, and a step for displaying only input-output apparatuses having one of the functions selected by the user. The Sugiyama Patent does not disclose or teach a means to display only the input-output apparatuses having one of the functions selected by a user, and correspondingly, does not teach a method displaying only the input-output apparatuses having a user selected function. Instead, the Sugiyama Patent discloses displaying a scanner/printer table when the button BT4 is selected. This scanner/printer table is simply a list of all the scanners and printers that are usable with a selected SP server. This is clearly not the method used in claim 25 where the input-output apparatuses displayed all have the same function, which is selected by a user. For at least this reason, claim 25 cannot be anticipated by the Sugiyama Patent.

The input-output apparatus selecting method of claim 26 requires a step for displaying document

identification codes on a display means as items of selection, and a step for displaying only the input-output apparatuses cataloged in one of the groups identified by one of the document identification codes selected by the user. The Sugiyama Patent does not disclose, teach or suggest the use of document identification codes as items of selection, and obviously does not further disclose, teach or suggest the step for displaying only input-output apparatuses in a group identified by one of the document identification codes selected by the user. Instead, the Sugiyama Patent discloses displaying a scanner/printer table with a list of all printers and scanners usable with a particular SP server.

The document identification codes described in some of the present claims correspond to descriptions of the document type being transmitted. This can be seen in Fig. 28, Fig. 29, and Fig. 30 of the present application. By grouping the input-output apparatuses into categories identified by document identification codes, an output destination is more easily designated. Also, because only apparatuses capable of transmitting a particular document are selectable, there is less likely to be an error in selecting the correct type of destination device. The Sugiyama Patent does not disclose, suggest, or teach the use of any such document identification codes, therefore, there can be no method disclosed, suggested, or taught in the Sugiyama Patent that can anticipate claim 26.

Claim 33 requires a program with a first step for classifying input-output apparatuses into categories

having different functions and for displaying the functions as items of selection, a second step for displaying only input-output apparatuses pertaining to one of said categories having a function selected from the items of selection in the first step, and a third step for specifying as an output destination, an input-output apparatus selected from the second step. Specifically, claim 33 expressly requires that after the input-output apparatuses have been categorized as to function, and the functions are displayed as items of selection, a particular function is specified so that only apparatuses having that specific function are displayed as items of selection. Then an input-output apparatus can be selected as an input-output destination.

The Sugiyama Patent fails to disclose either the second step, or the third step of claim 33. Fig. 91 of the Sugiyama Patent illustrates the scanner/printer table that appears when the scanner/printer button BT4 is selected. Both scanners and printers usable with the SP server designated with button BT3 are displayed on this single scanner/printer list. A scanner or printer device is then chosen from this printer/scanner table. The Sugiyama Patent discloses no step where only the input-output apparatuses having a selected function are displayed, and obviously, no subsequent step of specifying an input-output destination from an input-output apparatus selected from the input-output apparatuses displayed at the previous step. The Sugiyama Patent only teaches selecting a device from a list of both scanners and printers. Thus, the Sugiyama Patent does not disclose all the requirements of claim 33, and cannot anticipate claim 33.

The Sugiyama Patent does not disclose the input-output apparatus specifying method of claim 37. Claim 37 requires a function displaying step for classifying said input-output apparatuses into a plurality of categories with different functions and displaying the functions as items of selection, an apparatus displaying step for displaying as items of selection only the input-output apparatuses having a function selected from said functions displayed at said function displaying step, and an apparatus specifying means selecting a desired input-output apparatus displayed at the apparatus displaying step and specifying the selected input-output apparatus as an input-output destination. Conversely, the Sugiyama device displays a scanner/printer table containing all scanners and printers that are usable on a particular SP server. From this list of both scanners and printers, a device is specified. The Sugiyama method consists of selecting a SP server, displaying all printers and scanners usable in the same scanner/printer table, and allowing the user to select a scanner or printer from the scanner/printer table listing all printers and scanners available. This is clearly not as required by claim 37.

Accordingly, it is respectfully requested that the rejection of claims 9, 10, 14, 15, 25, 26, 33, and 37 under 35 U.S.C. § 102(e), as being anticipated by the Sugiyama Patent, be reconsidered and withdrawn.

3. Claims 30, 31 and 38-41

The rejection of claims 30, 31 and 38-41 under 35 U.S.C. § 102(e), as being anticipated by the Dev Patent, is respectfully traversed based on the following.

26

The Dev device is able to monitor network entities by using a network management system to monitor and infer the status of the network entities. The passage in the Abstract of the Dev Patent, cited in the Office Action, is only in reference to viewing the status of a device on the network. The invention of the Dev Patent is a hierarchical monitoring system that allows a very sophisticated user, a networking expert, to view network behavior, whereas the present invention is to facilitate the use and designation of input-output apparatuses for all users, whether they are experts or novices.

The Dev Patent does not disclose an input-output apparatus selecting step as in claims 30 and 31. The Dev Patent discloses viewing the status of network entities when certain icons are selected; however, the Dev device is unable to designate any apparatus as an input-output destination. Instead, the Dev device monitors network devices by polling the communicating devices and determining their status or inferring the status of non-communicating devices by monitoring the communicating devices to which the non-communicating network devices are connected. The Dev Patent does not disclose, suggest, or teach selecting an input-output apparatus as an input-output destination as in amended claims 30 and 31, but instead, teaches monitoring network devices without the ability to select a network input-output device as an input-output destination.

Therefore, claims 30 and 31 are distinguished from the Dev Patent. Each claim contains at least one limitation not disclosed, suggested or taught by the Dev

Patent, and are therefore, distinguished from the Dev Patent.

The Dev Patent cannot anticipate claim 38 because the Dev Patent fails to disclose all requirements of claim 38. First, the Dev Patent does not disclose a feature to allow the selection of a user name displayed on the display means in order to view only input-output apparatuses associated with a selected user. Fig. 7C of the Dev Patent only illustrates icons with display descriptions. These descriptions are not selectable user names that will effect input-output apparatuses associated with the selected user being displayed when the user name is selected. The Dev Patent only displays the status of different network entities according to their working condition. The Dev Patent makes no disclosure of storing information about network users and what devices they normally use. Therefore, it would be impossible for the Dev device to display devices associated with a particular user because this information is not stored or made available. Again, the Dev Patent allows a network expert to monitor the status of different network entities, not to allow user designation of input-output devices. The Dev Patent does not allow users to select any apparatus as an input-output recipient, and further does not allow the selection of an input-output apparatus specifically associated with a selected user as an input-output destination.

Claims 39 and 40 depend from claim 38 and incorporate all the distinguishing limitations of claim

38. Therefore, as claim 38 is distinguished from the Dev
Patent, so are claims 39 and 40.

Claim 41 claims an input-output apparatus specifying
method to be adopted in a network. The method includes
the steps of displaying as items of selection the names
of users regularly using network systems, selecting a
user name from the display step, displaying only input-
output apparatuses associated with the user selected in
the user selection step, and selecting as an input-output
destination one of the input-output apparatuses displayed
at the input-output apparatus displaying step. There is
no disclosure in the Dev Patent of the user being able to
select a user name and view only devices associated with
that particular user. The Dev device allows a user to
observe network entity status, not select input-output
apparatuses as input-output destinations. Therefore, the
Dev Patent does not anticipate claim 41.

Accordingly, it is respectfully requested that the
rejection of claims 30, 31, and 38-41 under 35 U.S.C.
§ 102(e), as being anticipated by the Dev Patent, be
reconsidered and withdrawn.

35 U.S.C. § 103(a) REJECTIONS

2.   Claims 11-13, 16-22, 27, 34, and 35

The rejection of claims 11-13, 16-22, 27, 34, and 35
under 35 U.S.C. § 103(a), as being unpatentable over the
Sugiyama Patent in view of the Dev Patent, is
respectfully traversed based on the following.

29

Claims 11, 12, and 13 directly or indirectly depend
from claim 9, and as shown in the argument of claim 9
above, the Sugiyama Patent does not disclose all
requirements of claim 9. Specifically, the Sugiyama
Patent does not disclose, suggest, or teach a first
display step for classifying the input-output apparatuses
into a plurality of categories with different functions
and displaying said functions on a display means as items
of selection, or a second display step for displaying on
a display means as items of selection, only input-output
apparatuses having one of those functions selected by a
user. Instead, the Sugiyama Patent discloses displaying
all scanners and printers available on a particular
server in a scanner/printer table when the
scanner/printer button is selected. From this
scanner/printer table, listing all scanners and printers,
a device is selected. There is no classification of
input-output apparatuses depending on function and no
step for displaying only input-output apparatuses having
a user selected function.

The Dev Patent also fails to disclose all
limitations of claim 9. The Dev Patent lacks a first
display step for classifying input-output apparatuses
into a plurality of categories with different functions
and displaying the functions as items of selection, and
lacks a second display step for displaying on a display
means as items of selection only the input-output
apparatuses having a function selected by the user. The
Dev device is in place as a monitoring system and
represents only a hierarchical view of how the network
operates. It is able to infer the status of different
network entities, but cannot display specific input-

output apparatus functions as items of display and cannot
further display only input-output apparatuses capable of
performing a user specified function.

Claim 11 depends from claim 9, and claims 12 and 13
depend from claim 11. As neither the Sugiyama Patent nor
the Dev Patent disclose, suggest, or teach a first
display step for classifying the input-output apparatuses
according to function and displaying the functions as
items of selection, or a second display step for
displaying only input-output apparatuses having a user
selected function as items of selection, no combination
of the Sugiyama Patent and the Dev Patent can render
claims 11, 12, and 13 obvious.

Claims 16, 17, and claim 18 depend directly or
indirectly from claim 14, and claims 20, 21, and 22
depend directly or indirectly from claim 19.
Accordingly, a review of claims 14 and 19 is necessary to
overcome the rejection of claims 16-22 over the Sugiyama
Patent in view of the Dev Patent.

Claim 14 requires a first display step for
classifying input-output apparatuses into a plurality of
categories with different document identification
information and displaying the document identification
information as items of selection, and a second display
step for displaying only input-output apparatuses capable
of transmitting the type of document selected by a user.
These steps are not present in the Sugiyama Patent or in
the Dev Patent. Sugiyama does not disclose classifying
input-output apparatuses according to server
availability. There is no disclosure or suggestion in

31

the Sugiyama Patent to display document identification information as items of selection, and no disclosure or suggestion of displaying only input-output apparatuses having the capability of transmitting the specified document type selected.

The Dev Patent also does not disclose the steps for classifying input-output apparatuses into a plurality of categories with different document identification information and displaying the document identification information as items of selection and a second display step for displaying only input-output apparatuses capable of transmitting the type of document selected by the user. Instead, the Dev Patent teaches monitoring a network without actually being able to select input-output apparatuses as an output destination. Therefore, any combination of the Sugiyama Patent and the Dev Patent will not disclose or suggest claim 14.

Claims 16, 17, and 18 depend directly or indirectly from claim 14. As claim 14 is not rendered obvious by the Sugiyama Patent in view of the Dev Patent, similarly claims 16, 17, and 18 cannot be rendered obvious by any combination of the Sugiyama Patent and the Dev Patent.

With reference to claim 19, the Sugiyama Patent does not display image forming apparatuses capable of performing a printing operation to serve as a substitute in case an outcome of a judgment step determines that the selected image forming apparatus is not capable of carrying out printing. The Sugiyama Patent discloses inquiring from the host computer if printer designation destination should be changed. If an affirmative answer

32

is given, the CPU 1000 then rewrites the printer name for the printing task stored in the spooler 2203 to a printer capable of being normally operable. This is disclosed in column 63, lines 62-67, to column 64, lines 1-2, of the Sugiyama Patent. The Sugiyama Patent does not disclose a display step for displaying image forming apparatuses capable of being substitute printers in case the designated printer is not capable of performing a print job. The Sugiyama device instead teaches automatically selecting a suitable printer for the print operation.

Fig. 91 of the Sugiyama Patent displays printers and scanners that can be used on a designated SP server; however, there is no disclosure of a first step for selecting an image forming apparatus, then displaying substitute image forming devices after it has been determined that the selected image forming apparatus cannot perform a printing job. Instead, the Sugiyama Patent discloses displaying a scanner/printer apparatus in the scanner/printer table where an error is detected with an inverted display so it is identifiable from the other scanner and printer apparatuses. This is clearly not as in claim 19. Sugiyama does not disclose selecting an image forming apparatus, determining if the selected image forming apparatus is capable of printing, then displaying only devices capable of being substitutes if it is determined that the selected printer is not capable of performing a print job. Although Sugiyama discloses inverting the display of devices with errors, both printer and scanner apparatuses are still displayed together, rather than only printing apparatuses capable of being substitute apparatuses.

The Dev Patent also does not disclose a display step for displaying image-forming apparatuses that can serve as a substitute for a selected image forming apparatus. The Dev Patent is concerned with the operational status of the network and does not allow a user to select any particular apparatus as a print destination. The user is only able to observe how network entities are functioning. Therefore, because both the Sugiyama Patent and the Dev Patent fail to disclose or suggest displaying substitute image forming apparatuses capable of performing a print job in case a selected image forming apparatus is incapable of performing the print job, there is no combination of the Sugiyama Patent and the Dev Patent that can render claim 19 obvious.

Claims 20, 21, and 22 depend directly or indirectly from claim 19, and therefore incorporate the limitations of claim 19. As claim 19 is not rendered obvious by the combination of the Sugiyama Patent and the Dev Patent, claims 20, 21, and 22 cannot be rendered obvious by any combination of the Sugiyama Patent and the Dev Patent.

Regarding claim 27, the Sugiyama Patent does not disclose or suggest an image forming apparatus selecting method that includes selecting an image forming apparatus, judging if the chosen apparatus is capable of carrying out a print job, and displaying substitute image forming apparatuses capable of performing the print job. The Sugiyama device automatically selects a substitute printer when an error in a selected printer is detected, or displays scanners and printers having errors on a list containing all scanners and printers so that the devices with errors are recognizable.

Similarly, the Dev Patent does not disclose or suggest an image forming apparatus selecting method that includes selecting an image forming apparatus, judging if the chosen apparatus is capable of carrying out a print job, and displaying substitute image forming apparatuses capable of performing the print job. The Dev device is only able to monitor network devices and display status information. The Dev device is unable to select an image forming apparatus as an output destination. Thus, as both the Sugiyama Patent and the Dev Patent fail to recite all features of claim 27, a combination of the Sugiyama Patent and the Dev Patent will not recite or teach all the requirements of claim 27. Thus, there is no combination of the Sugiyama Patent and the Dev Patent that can render claim 27 obvious.

Claim 34 and 35 directly depend from claim 33, and as shown above, claim 33 is not anticipated by the Sugiyama Patent. The Sugiyama Patent fails to disclose the step of classifying input-output apparatuses into a plurality of categories having different functions and displaying the functions as items of selection, and a second step for displaying only input-output apparatuses having a function specified by the user. The Sugiyama device does not disclose, suggest, or teach classifying input-output apparatuses into different categories based on functions, and making the functions selectable on a display means. Instead, the Sugiyama Patent teaches displaying a scanner/printer table with all printers and scanners usable on a particular SP server. There is no separation depending on the device functions, and there is no disclosure of a way to display only devices capable of performing a specified function selected by the user.

35

Further, the third step of claim 33 of selecting an input-output apparatus from the second step where only devices capable of performing a specified function are displayed is not present in the Sugiyama Patent.

The Dev Patent also does not disclose all limitations of claim 33. The Dev Patent does not disclose, suggest, or teach a program with a first step for classifying input-output apparatuses into a plurality of categories and displaying the functions as items of selection, a second step for displaying only input-output apparatuses capable of performing the specified function of the first step, or a third step for specifying an input-output apparatus selected from the input-output apparatuses displayed in the second step as an output destination. The Dev Patent is a network monitoring device that is unable to first classify and display input-output apparatuses depending on function, and then allow user selection of input-output apparatuses as an output destination.

Thus, both the Sugiyama Patent and the Dev Patent fail to disclose all the requirements of claim 33, and accordingly a combination of the Sugiyama Patent and the Dev Patent cannot render claim 33 obvious. Claims 34 and 35 which both depend from claim 33, could not be rendered obvious by any combination of the Sugiyama Patent and the Dev Patent.

Accordingly, it is respectfully requested that the rejection of claims 11-13, 16-22, 27, 34, and 35 under 35 U.S.C. § 103(a), as being unpatentable over the Sugiyama

36

Patent in view of the Dev Patent, be reconsidered and withdrawn.

New Claims 56-59

The newly added, independent claim 56 requires elements that are not present in any of the cited references. Specifically, claim 56 requires a program for selecting a first printer from among a plurality, determining whether the selected printer is available, then selecting a second printer as a substitute output apparatus if the first printer is not available. All of these requirements are not disclosed or suggested by the cited references either singly or in combination. Therefore, claim 56, and claims 57, 58, and 59 which depend therefrom, are considered to be in condition for allowance.

CONCLUSION

Wherefore, in view of the foregoing amendment and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.
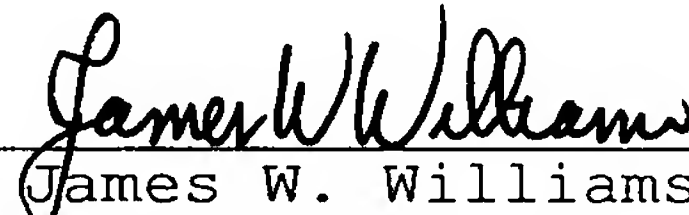
This amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley & Austin Deposit Account No. 18-1260.

37

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley & Austin Deposit Account No. 18-1260. Any refund should be credited to the same account.

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